IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13220 of 2004

Between:

R. Mallikarjuna Goud S/o R.V.Gowd, Aged 42 years, Occ:Service in APDDCF Ltd.,R/o Staff Quarter, Dairy Campus, Mahboobnagar, Mahboobnagar District

..... PETITIONER

AND

1. Government of Andhra Pradesh, represented by its Principal Secretary, AH, Fisheries & Dairying, AP. Secretariat, Hyderabad

2. Andhra Pradesh Dairy Development Co-operation Federation Limited, represented by its Managing Director at Regd. Admn. Office, Lalapet, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or orders or writ, more particularly one in the nature of a WRIT OF MANDAMUS declaring the departmental enquiry conducted into the charge against the petitioner and the findings of the Enquiry Officer as arbitrary, contrary to the disciplinary procedure and in violation of the principles of natural Justice and hence vitiated and consequently set aside the impugned proceedings No.91/Admn.IV/DC-1/94 dt. 24/03/2004 awarding to the petitioner the Punishment of deduction of two annual grade increments due on 1/07/2003 and 1/7/2004.

Counsel for the Petitioner: MR.P.V.RAO

Counsel for the Respondent No.: MR.N.RAJESWAR RAO

The Court at the admission stage made the following :

ORDER:

Heard both the Counsel and at their request the writ petition itself is taken up for disposal at the admission stage and perused the material on record.

The facts, in brief, are that the petitioner is working as a Processing Supervisor in the second respondent-Federation. Through an order, dated 24-03-2003, the second respondent-Federation imposed a punishment against the petitioner by way of stoppage of two annual grade increments with cumulative effect in pursuance of a disciplinary enquiry. The petitioner, being aggrieved by the said order, preferred an appeal on 25-04-2003 before the Board of second respondent-Federation headed by the first respondent.

The grievance of the petitioner is that the Board of the second respondent-Federation headed by the first respondent did not pass any orders on the appeal preferred by him and the same is kept pending. The petitioner, therefore, approached this Court seeking a direction to the Board of the second respondent-Federation headed by the first respondent to pass appropriate orders on the said appeal.

In the light of the facts and circumstances of the cases, the Board of the second respondent-Federation headed by the first respondent is directed to dispose of the appeal filed by the petitioner by way of

passing appropriate orders, according to law, within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of at the admission stage. No order as to costs.

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30-07-2004

ghn

To

1. The Principal Secretary, Government of Andhra Pradesh, AH, Fisheries & Dairying, AP. Secretariat, Hyderabad.

2. The Managing Director, Andhra Pradesh Dairy Development Co-operation Federation Limited, at Regd. Admn. Office, Lalapet, Hyderabad.

3. Two CD copies.

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